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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

FLYNN, KIMBERLY D

ART UNIT PAPER NUMBER

2153

DATE MAILED: 07/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/589,449

Applicant(s)

AKMAN, ARDA

Examiner

Kimberly D. Flynn

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 11-21 is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-7 and 9 is/are rejected.
- 7) ☒ Claim(s) 4, 8 and 10 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to an Amendment and Remarks filed April 18, 2005. Claims 1-21 are presented for further consideration.

Response to Arguments

- Applicant's arguments filed April 18, 2005 have been considered but are not persuasive. Examiner maintains that the claims are not patentable over Zhang in view of Shaffer as pointed out below; therefore the 35 U.S.C 103 rejections are maintained.
- In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Examiner maintains that the motivation is sufficient to combine Zhang and Shaffer, see office action below; therefore the rejections are maintained by the Examiner.
- Applicant's arguments, with respect to the 35 U.S.C 112 rejection of claims 5 and 6 have been fully considered and are persuasive. The 35 U.S.C 112 rejection of claims 5 and 6 have been withdrawn.

Allowable Subject Matter

- Claims 11-21 are allowed.

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- Claims 4, 8, and 10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim Rejections - 35 USC § 103

2 The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 2, 7, and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zhang et al. (USPN 6,381,646) in view of Shaffer et al. (USPN 6,801,521).

4. Regarding claim 1, Zhang et al. (USPN 6,381,646) teach a system for translating network addresses within messages, the messages originating and terminating in different networks, comprising means for:

- a. Receiving a message from a node on a first network (column 6, line 42).
- b. Translating an address within the message from the address associated with the first network to an address associated with a second network, the means for translating an address within the message being positioned in a device within the first network (figure 7; column 6, line 65 – column 7, line 7; column 4, lines 58-62).
- c. Routing the message to a node on said second network (column 7, lines 3-4).

Although the system disclosed by Zhang et al. (USPN 6,381,646) shows substantial features of the claimed invention, it fails to disclose means wherein the addresses are specifically IP addresses and the messages are specifically control protocol messages.

Nonetheless, these features are well known in the art and it would have been an obvious modification of the system disclosed by Zhang et al. (USPN 6,381,646) as evidenced by Shaffer et al. (USPN 6,801,521).

In an analogous art, Shaffer et al. (USPN 6,801,521) discloses a system for communication among disparate elements on a set of networks wherein the addresses are specifically IP addresses and the messages are specifically control protocol messages (column 2, lines 64-67; column 3, lines 42-53).

Given the teaching of Shaffer et al. (USPN 6,801,521), a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Zhang et al. (USPN 6,381,646) by utilizing the address translation framework on IP addresses in control protocol messages. This benefits the system by allowing a greater number of message types to be traded between the two participating networks.

5. Regarding claim 2, Zhang et al. (USPN 6,381,646) teach all the limitations as applied to claim 1. They further teach means wherein the translation is network address translation (NAT) (column 6, line 65 – column 7, line 3).

6. Regarding claims 7 and 9, Zhang et al. (USPN 6,381,646) teach a system for translating network addresses within messages exchanged between a node on a first network and a node on a second network with means for:

- a. Receiving a message from a node on a second network, the message including an address associated with the second network. (column 6, line 42).
- b. Translating the addresses associated with the second network included within the message to an address associated with the first network, wherein the translating occurs at a device within the first network (figure 9; column 6, line 65 – column 7, line 7; column 4, lines 58-62).
- c. Routing the message to a node on the first network (figure 9; column 7, lines 3-4).

Although the system disclosed by Zhang et al. (USPN 6,381,646) shows substantial features of the claimed invention, it fails to disclose means wherein the addresses are specifically IP addresses and the messages are specifically control protocol messages.

Nonetheless, these features are well known in the art and it would have been an obvious modification of the system disclosed by Zhang et al. (USPN 6,381,646) as evidenced by Shaffer et al. (USPN 6,801,521).

In an analogous art, Shaffer et al. (USPN 6,801,521) discloses a system for communication among disparate elements on a set of networks wherein the addresses are specifically IP addresses and the messages are specifically control protocol messages (column 2, lines 64-67; column 3, lines 42-53).

Given the teaching of Shaffer et al. (USPN 6,801,521), a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Zhang et al. (USPN 6,381,646) by utilizing the address translation framework on IP addresses in control

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protocol messages. This benefits the system by allowing a greater number of message types to be traded between the two participating networks.

7. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Zhang et al. (USPN 6,381,646) and Shaffer et al. (USPN 6,801,521) as applied to claim 1 above, and further in view of Cave et al. (USPN 6,404,746).

8. Regarding claim 3, although the system disclosed by Zhang et al. (USPN 6,381,646) and Shaffer et al. (USPN 6,801,521) (as applied to claim 1) shows substantial features of the claimed invention, it fails to disclose means wherein the node on the first IP network is a media gateway and the node on the second IP network is a media gateway controller.

Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Zhang et al. (USPN 6,381,646) and Shaffer et al. (USPN 6,801,521), as evidenced by Cave et al. (USPN 6,404,746).

In an analogous art, Cave discloses a system with multiple communicating networks wherein the node on a first IP network is a media gateway and the node on a second IP network is a media gateway controller (figure 2). Note that in the reference, gateways and a gatekeeper are used. These can communicate as media gateways and media gateway controllers.

Given the teaching of Cave et al. (USPN 6,404,746), a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Zhang et al. (USPN 6,381,646) and Shaffer et al. (USPN 6,801,521) by employing the communication of media gateways and media gateway controllers. These are common network nodes that may be available on any two communicating networks. They benefit the system by providing service for multimedia communication including Internet telephony.

Conclusion

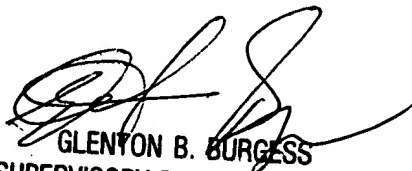
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimberly D. Flynn whose telephone number is 571-272-3954. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess can be reached on 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kimberly D Flynn
Examiner
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